REMARKS

Favorable reconsideration of this application, in light of the following discussion and in view of the present amendment, is respectfully requested.

Claims 1, 7, 21, and 24 have been amended. Claim 9 has been cancelled. Claims 1-4, 6-8, and 10-28 are pending in the present application. This amendment is believed to place the application in condition for allowance, and entry therefore is respectfully requested. In the alternative, entry of this amendment is requested as placing the application in better condition for appeal by, at least, reducing the number of issues outstanding.

Entry of Amendment under 37 C.F.R. § 1.116

The Applicant requests entry of this Rule 116 Response because the amendment does not significantly alter the scope of the claims and places the application at least into a better form for purposes of appeal. The features of dependent claim 19 have been incorporated into independent claims 1, 7, 21, and 24 and claim 19 has been cancelled. No new features or new issues are being raised.

I. Rejection of the Claims

Claims 1-3, 6-11, 15-17, and 19-27 stand rejected under 35 U.S.C. §102(b) as being clearly anticipated by U.S. Patent No. 6,215,106 to Boas et al. Dependent claims 4, 12-14, 18, and 28 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Boas et al. in view of Mok et al. All rejections are respectfully traversed. Claims 1-3 and 6 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication No. 2004/0060917 to Liu et al. in view of Delta Design. All rejections are respectfully traversed.

Independent claim 1 recites, *inter alia*, a heater block disposed opposite the device under test and which generates heat receivable by the device under test across a gap, wherein the heater block includes an extended portion which extends from the heater block into the gap to define a contour of the gap opposite the device under test, an actuator which moves the heater block so as to adjust the gap while the heater block generates heat so as to vary an amount of heat received at the device under test so as to adjust the temperature of the device under test, and a housing which houses the actuator and the heater block and which includes an interface to hold the device under test, wherein the housing is connectable to a handler for use in automated testing equipment.

Independent claim 7 recites, *inter alia*, a block disposed opposite the device under test and which defines a passageway therebetween and through which the fluid passes over the device under test at a gap flow rate, wherein the block includes an extended portion which extends from the block into the passageway to define a contour of the passageway opposite the device under test, and an actuator which moves the block so as to adjust the passageway and vary the gap flow rate of the fluid flowing over the device under test so as to adjust the temperature of the device under test.

Independent claim 21 recites, *inter alia*, determining actuator and heater block settings required to achieve a required temperature for the device under test, adjusting a heater block to generate heat according to the determined heater block setting, adjusting the actuator to move the heater block to define a passageway above the device under test according to the determined actuator setting, through which a fluid passes over the device under test, and extending an extendable portion of the heater block into the passageway to define a contour of the passageway.

Independent claim 24 recites, *inter alia*, for an initial flow rate of fluid introduced into the temperature unit, determining an actuator setting required to achieve a required temperature for the device under test, adjusting the actuator to move a block to form a passageway above the device under test according to the determined actuator setting so as to vary the initial flow rate to achieve a gap flow rate of the fluid flowing across the device under test which achieves the required temperature, extending an extendable portion of the block into the passageway to define a contour of the passageway.

Applicant respectfully submits that the cited art fails to teach or suggest at least the aforementioned features of the independent claims. Specifically, each of the independent claims provide for a heater block to include an extended portion which extends into a gap or passageway between the heated block and the device under test in order to define a contour of the gap or passageway. While the heater block itself may be moved in order to subject the device under test to a desired temperature, the extended portion allows for further manipulation of the contour of the gap or passageway, thereby providing a way to optimize the flow of a fluid across the device under test.

Boas et al. is directed to thermally processing a substrate. As such, Boas et al. teaches thermal processing of a substrate through the use of a heated plate that is merely a reflector

plate assembly. However, Boas et al. does not disclose an extended portion which extends from the heated plate into a gap between the heated plate and the substrate to define a contour of the gap.

Thus, Applicant respectfully submits that, for at least these reasons, Boas et al. fails to anticipate the independent claims.

Furthermore, Liu et al. teaches thermal processing of a substrate through the use of a heated plate that is provided between a heater chamber and a process chamber. However, Liu et al. does not disclose that the heated plate is provided with an extended portion which extends from the heated plate into a gap between the heated plate and the substrate to define a contour of the gap. Furthermore, Delta Design fails to make up for these deficiencies in Liu et al.

Thus, Applicant respectfully submits that, for at least these reasons, the combination of Liu et al. and Delta Design fails to teach all of the features of the independent claims.

Accordingly, favorable reconsideration and withdrawal of the rejection of independent claims 1, 7, 21, and 24 are respectfully requested.

In view of the foregoing, Applicant respectfully submits that the independent claims patentably define the present invention over the citations of record. Further, the dependent claims should also be allowable for the same reasons as their respective base claims and further due to the additional features that they recite. Separate and individual consideration of the dependent claims is respectfully requested.

CONCLUSION

It is respectfully submitted that the patentability of the pending claims over the references and rejections record have been clearly set forth and, there being no other objections or rejections, that the application is in condition for allowance, which Action is respectfully requested. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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